

1 Department of Real Estate
2 320 West Fourth Street, Ste. 350
3 Los Angeles, California 90013

4 (213) 576-6982

FILED
FEB 25 2010
DEPARTMENT OF REAL ESTATE
[Signature]

8 DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * * * *

11 To:)	No. H-36472 LA
)	
12 VICTOR HUGO HERNANDEZ.)	<u>ORDER TO DESIST</u>
)	
)	<u>AND REFRAIN</u>
)	

15 The Commissioner (Commissioner) of the California
16 Department of Real Estate (Department) caused an investigation to
17 be made of the activities of VICTOR HUGO HERNANDEZ ("HERNANDEZ").
18 Based on that investigation, the Commissioner has determined that
19 HERNANDEZ has engaged in, is engaging in, or is attempting to
20 engage in, acts or practices constituting violations of the
21 California Business and Professions Code (Code), including
22 violating Code Section 10130 by engaging in the business of,
23 acting in the capacity of, and/or advertising or assuming to act
24 as, a real estate broker in the State of California within the
25 meaning of Code Section 10131(a) (soliciting buyers and sellers
26 and negotiating the sale of real property) and 10131.2 (advance
27 fee handling). Furthermore, based on the investigation, the

1 Commissioner hereby issues the following Findings of Fact,
2 Conclusions of Law, and Desist and Refrain Order under the
3 authority of Section 10086 of the Code.

4 Whenever acts referred to below are attributed to
5 HERNANDEZ those acts are alleged to have been done by HERNANDEZ,
6 or by and/or through one or more agents, associates, affiliates,
7 and/or co-conspirators.

8 FINDINGS OF FACT

9 1. At no time herein mentioned have you, HERNANDEZ,
10 been licensed by the Department of Real Estate of the State of
11 California (hereinafter "Department") as a real estate broker.

12 2. During February, 2007, HERNANDEZ, for or in
13 expectation of compensation, solicited buyers and sellers and
14 negotiated the purchase and sale of real property.

15 3. HERNANDEZ solicited the purchase of real property
16 located at 14037 Iroquois Road, Apple Valley, California, for
17 buyer Patricia Isabel Gonzalez ("Gonzalez") and thereafter
18 collected \$180 in fees from Gonzalez.

19 CONCLUSIONS OF LAW

20 4. Based on the findings of fact set forth in
21 paragraphs 1 through 3, HERNANDEZ, acting by himself, or by
22 and/or through one or more agents, associates, affiliates, and/or
23 co-conspirators, solicited buyers and sellers and negotiated the
24 purchase and sale of real property and charged, demanded, or
25 collected advance fees for services provided, which are acts
26 requiring a real estate broker license under Section 10131(a) and
27 10131.2 of the Code during a period of time when HERNANDEZ was

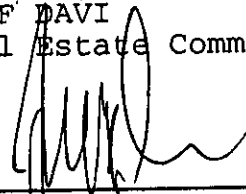
1 not licensed by the Department as a real estate broker in
2 violation of Code Section 10130.

3 DESIST AND REFRAIN ORDER

4 Based upon the Findings of Fact and Conclusions of Law
5 stated herein, you, VICTOR HUGO HERNANDEZ, whether doing business
6 under your own name, or any other names, or fictitious name, ARE
7 ORDERED to immediately desist and refrain from performing any
8 acts within the State of California for which a real estate
9 broker license is required.

10 You are ORDERED TO DESIST AND REFRAIN from
11 charging, demanding, claiming, collecting and/or receiving
12 advance fees, as that term is defined in Section 10026 of the
13 Code.

14 DATED: 12/16/09

15 JEFF DAVI
16 Real Estate Commissioner
17 
18 _____

19 **Notice:** Business and Professions Code Section 10139 provides
20 that "Any person acting as a real estate broker or real estate
21 salesperson without a license or who advertises using the words
22 indicating that he or she is a real estate broker without being
23 so licensed shall be guilty of a public offense punishable by a
24 fine not exceeding twenty thousand dollars (\$20,000), or by
25 imprisonment in the county jail for a term not to exceed six
26 months, or by both fine and imprisonment; or if a corporation,
27 be punished by a fine not exceeding sixty thousand dollars
(\$60,000)."

cc: Victor Hugo Hernandez
13517 Telegraph Road, Suite B
Whittier, CA 90650

JRP:AV